

## INFORMATION ON HOW WE HANDLE YOUR DATA

Required by the EU General Data Protection Regulation.

### 1. PRELIMINARY REMARKS

This document is intended to provide you with information about your data. Lawmakers have specified which information must be provided to you for this purpose.

For more information, please consult the EU General Data Protection Regulation (GDPR), specifically Articles 12 to 22 and 34. The text of the EU General Data Protection Regulation is available online here:

<https://gdpr-info.eu/>

If you have any further questions on the EU General Data Protection Regulation, please feel free to contact the data protection officer and/or our administrative staff at any time.

### 2. WHAT IS PERSONAL DATA?

Any information relating to an identified or identifiable natural person. A person is considered identifiable if they can be directly or indirectly identified. For example, this could involve identification by attributing a name, an identification number, location data, an online identifier or one or more special characteristics.

### 3. BASIC INFORMATION

#### 3.1 Who is responsible for processing my data?

The data controller responsible for processing your data is

GHD Georg Hartmann Maschinenbau GmbH  
Schwalbenweg 24  
33129 Delbrück, Germany  
Tel.: +49 52 50/98 43 0  
Email: [info@ghd.net](mailto:info@ghd.net)

#### 3.2 How do I get in touch with you?

Contact person: Mr Tobias Wigge  
Email: [info@ghd.net](mailto:info@ghd.net)

#### 3.3 What official body is in charge of monitoring and compliance with data protection law?

Competent data protection supervisory authority

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen (State Commissioner for the Protection of Data and Freedom of Information for North Rhine-Westphalia)  
Postbox 20 04 44, 40102 Düsseldorf, Germany  
Telephone: +49 211/38424-0  
Email: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)

#### 3.4 How do I get in touch with the company's data protection officer?

Our company's data protection officer is Mr Carsten Bruns. You can reach the data protection officer as follows:

SK-Consulting Group GmbH  
Osterweg 2; 32549 Bad Oeynhausen, Germany  
Email: [datenschutz@sk-consulting.com](mailto:datenschutz@sk-consulting.com)

### 4. OTHER IMPORTANT INFORMATION

#### 4.1 Data processing (why?)

We process your data to fulfil our mutual obligations on the basis of the (possibly yet to be concluded) contract or to comply with legal obligations.

#### 4.2 Why are we permitted to do this?

Data protection law (under Article 6 Paragraph 1 Sentence 1(b) GDPR) permits us to process the data necessary to fulfil a contract or to conduct pre-contractual measures. If you voluntarily share things with us beyond what is strictly required, data protection law permits us to process this data as covered by your consent (per Article 6 Paragraph 1 Sentence 1(a) GDPR). Data protection law permits us to process your data if there is a legal requirement to do so (Article 6 Paragraph 1 Sentence 1(c) GDPR). We are permitted to process your data if we have a

legitimate interest in doing so (e.g. company security, securing receivables, tailoring our external image as a company), provided this is not outweighed by any conflicting interests of yours (Article 6 Paragraph 1(f) GDPR).

#### 4.3 Who might receive my data?

With respect to processing, your data may be sent to:

- people working within our company who are directly involved in processing data (e.g. *Sales, Purchasing*)
- service providers obligated to maintain confidentiality as part of a binding contractual relationship who perform various aspects of data processing, as well as other outside organisations (companies, public authorities, credit enquiry agencies, etc.), where this is necessary.

#### 4.4 Will you send my data to countries outside the European Union?

We do not plan to. We would only consider an exception to this if you were to arrange this or if this were necessary for contract performance. Legal basis: Article 6 Paragraph 1 Sentence 1(b) GDPR; Article 49 Paragraph 1(b) GDPR.

#### 4.5 How long will you store my data?

We store your data for as long as we need it for the purposes listed in Section 4.1 above. However, legal requirements are in place (e.g. Section 147 of the German Tax Code [*Abgabenordnung*]) that compel us to retain certain documents for six or ten years. Once this retention period has ended, we erase any data we no longer need.

#### 4.6 Am I required to provide my data?

For the reasons set out in Section 4.1, it is necessary for you to provide us with your personal data.

It is absolutely necessary, and sometimes legally required, for us to receive this data in order to fulfil our contract with you. Failing

to provide this data will result in us being unable to fulfil our contract with you.

#### 4.7 Automated decision-making/profiling

We do not engage in automated decision-making/profiling.

### 5. WHAT ARE MY RIGHTS?

#### 5.1 Information on your rights

As a data subject, the EU General Data Protection Regulation gives you certain rights, including, but not limited to:

#### 5.2 Right to information (Article 15 GDPR)

You have the right to request information on whether we are processing personal data relating to you. If we are processing your personal data, you are entitled to information on

- why we are processing your data (see also Section 4.1);
- what types of data about you we are processing;
- what type(s) of recipients receive your data or are planned to receive it (see also Section 4.3);
- how long we will store your data; if we are unable to specify the duration of this retention period, we are required to inform you of how we determine retention periods (e.g. storage until statutory retention periods expire) (see also Section 4.5);
- that you have a right to rectify and erase data pertaining to you, including the right to restrict processing and/or the option to object to processing (see also Sections 5.2, 5.3, etc., below);
- the fact that you have a right to lodge a complaint with a supervisory authority;
- where your data comes from, provided we did not collect that data directly from you;
- whether your data is used for automatic decision-making and, if this is the case, the methodology used to make any such decision, and the impact and consequences automatic decision-making may have on you;
- that, in the event that data about you is sent to a country outside the European Union, you are entitled to information about whether this has occurred, and if so, to information on what guarantees are in place with the data recipient to ensure an appropriate level of protection;
- the fact that you have the right to request a copy of your personal data. Copies are generally provided in an electronic format.  
The first copy is free of charge. However, a reasonable fee may be requested for additional copies. Copies can only be provided if

doing so does not impede the rights of any other person.

### 5.3 Right to rectification of data (Article 16 GDPR)

You have the right to request that we rectify your data if this data is incorrect and/or incomplete. This also includes the right to complete your data profile by providing supplementary declarations or notifications. Rectifying incorrect information and/or providing additional information in the event of incomplete information must be done without culpable delay.

### 5.4 Right to erasure of personal data (Article 17 GDPR)

You have the right to request the erasure of your personal data if

- the personal data is no longer needed for the purposes for which it was collected and being processed;
- data is being processed based on consent you have granted and you have revoked your consent; however, this does not apply if other legal grounds permit us to process your data;
- you have objected to your data being processed, which was legally permitted within the scope of 'legitimate interest' (according to Article 6 Paragraph 1(e) or (f)); however, your data need not be erased if there are overriding, legitimate grounds for further processing;
- you have lodged an objection to your data being processed for the purpose of direct marketing;
- your personal data was processed unlawfully;
- a child's data is being processed where the data was collected on the basis of consent for electronic services (Article 8 Paragraph 1 GDPR).

You are not entitled to the erasure of your personal data if

- the right to freedom of expression and information precludes the request for erasure;
- personal data is processed
  - to fulfil a contractual obligation (e.g. statutory retention periods);
  - to serve public duties and interests under applicable law (this includes public health);
  - or
  - it is necessary for archiving and/or research purposes;
- your personal data is needed to assert, exercise or defend our legal rights.

Data must be erased promptly (with no culpable delay). If we make public any personal data (e.g. online), we must ensure, to the extent technically possible and reasonable, that other data processors are also informed of your request for erasure, including for links, copies and/or replications to be erased.

### 5.5 Right to restriction of processing (Article 18 GDPR)

You have the right to restrict the processing of your personal data in the following cases:

- If you contest the accuracy of your personal data, you can request that your data not be used for any other purpose until its accuracy is reviewed, thereby restricting processing;
- If your data is processed unlawfully, you can request that the use of your data be restricted rather than requesting its erasure;
- If you need your personal data to assert, exercise or defend your legal rights, but we no longer need your personal data, you can request that we restrict processing to purposes related to pursuing legal rights;
- If you have objected to data processing (under Article 21 Paragraph 1 GDPR) (see also Section 5.7) and it is as yet undetermined whether our interests in processing outweigh your interests, you can request that your data not be used for any other purposes for the duration of this review, thereby restricting its processing.

Subject to storage, where processing of personal data has been restricted at your request, personal data may only be processed

- with your consent;
- to assert, exercise or defend our legal rights;
- to protect the rights of other natural persons and legal entities; or
- for reasons of important public interest.

If restriction to processing is lifted, you will be informed of this in advance.

## 5.6 Right to data portability (Article 20 GDPR)

You have the right to request that we send you a copy of the data you have provided to us in a commonly used electronic format (e.g. as a PDF or Excel document).

You may also request that we send this data directly to another (specific) company, provided it is technically possible for us to do so.

Your right in this regard requires that data is processed on the basis of your consent or to perform a contract, and that data processing is carried out using automated procedures. Exercising your right to data portability must not infringe upon the rights and freedoms of others.

If you exercise your right to data portability, you are still entitled to have your data erased as per Article 17 GDPR.

## 5.7 Right to object to certain processing activities (Article 21 GDPR)

If your data is processed to conduct tasks in the public interest or in our legitimate interest, you are entitled to object to this processing. To object, you must offer justification based on your particular situation to support your objection. For example, this may include special family circumstances or confidential interests you would like protected.

If you object, we are required to refrain from any further processing of your data for the purposes specified, unless

- compelling, legitimate grounds for processing take precedent over your interests, rights and freedoms; or
- processing is necessary to assert, exercise or defend our legal rights.

You may object to your data being processed for direct marketing purposes at any time. The same applies to profiling, provided it is related to direct marketing. If you object, we are no longer permitted to use your data for direct marketing purposes.

## 5.8 No automated decision-making/profiling (Article 22 GDPR)

Decisions we take that legally impact or significantly affect you are not permitted to be based solely on automated processing of personal data. This also includes profiling. This does not apply if automated decision-making

- is necessary to conclude or fulfil a contract with you;
- is permitted based on the legal provisions, provided these legal provisions contain reasonable measures to protect your rights, freedoms and legitimate interests;
- is done with your express consent.

Decisions based solely on the automated processing of *special categories of personal data* (= sensitive data) are only permissible if they are made on the basis of

- your express consent; or
- there being a significant public interest in its processing

and reasonable measures have been taken to protect your rights, freedoms and legitimate interests.

## 5.9 Exercising your rights as a data subject

To exercise your rights as a data subject, please use the contact details provided in Section 3.2. Queries received electronically are generally responded to electronically. As a rule, the information, notifications and measures to be provided under the GDPR are provided free of charge, including the process by which data subjects exercise their rights. We are only entitled to charge a reasonable fee or refrain from taking action in the event of clearly unfounded or excessive requests (Article 12 Paragraph 5 GDPR).

If there is reasonable doubt about your identity, we may request additional information from you for identification purposes. If we are unable to verify your identity, we are entitled to decline to process your request. Where possible, we will notify you separately if we are unable to verify your identity (Article 11 and Article 12 Paragraph 6 GDPR).

As a rule, requests for information are processed promptly, within one month of receiving the request. This deadline may be extended by a further two months, provided this is necessary due to the complexity and/or number of requests. If this deadline is extended, we will inform you of our justification for doing so within one month of receiving your request. We will promptly inform you – within one month of receiving your request – if we intend not to take action in response to a request, including the justification for this decision and your options in terms of lodging a complaint with a supervisory authority or seeking legal remedies (Article 12 Paragraphs 3 and 4 GDPR).

Please note that you may only exercise your rights as a data subject within the scope of the restrictions and

limitations provided for by the European Union or its Member States (Article 23 GDPR).